

COPY OF PAPERS
ORIGINALLY FILED

Section 43

CONLEY, ROSE & TAYON
A Professional Corporation

Austin Office
The Chase Building
700 Lavaca, Suite 800
Austin, Texas 78701-3102
(512) 476-1400
Facsimile (512) 703-1250

Dallas Office
Granite Park Two
5700 Granite Parkway, Suite 330
Plano, Texas 75024-6616
(972) 731-2288
Facsimile (972) 731-2289

Houston Office
Chase Tower
600 Travis, Suite 1800
Houston, Texas 77002-2912
(713) 238-8000
Facsimile (713) 238-8008

INTELLECTUAL PROPERTY LAW
INCLUDING PATENTS, TRADEMARKS,
COPYRIGHTS AND UNFAIR COMPETITION

Writer's Direct Dial
(972) 731-2272
email: gvalow@crtlaw.com

January 10, 2002

Box Missing Parts - Fee
Commissioner for Patents
Washington, D.C. 20231

Re: Application No.: 09/925,934
Filing Date: August 9, 2001
Attorney Docket No.: 4008-00201

Commissioner:

Enclosed are the following documents for filing:

1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts;
3. Declaration and Power of Attorney;
4. Petition for Two Months Extension of Time;
5. Fee Transmittal;
6. Acknowledgement postcard; and
7. This transmittal letter.

Please date-stamp the acknowledgment postcard and return it to the undersigned to confirm receipt of the above documents.

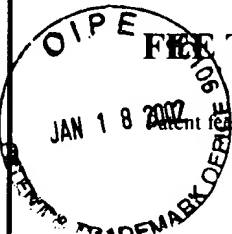
Thank you for your assistance in this matter.

Best regards,

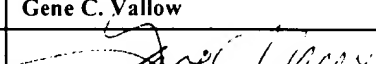
Gene C. Vallow

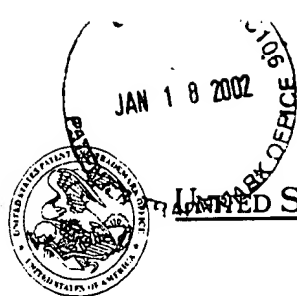
GCV/kai

Enclosures

 FEE TRANSMITTAL FY 2000 Patent fees are subject to annual revision.		Complete if Known	
		Application Number	09/925,934
		Filing Date	August 9, 2001
		First Named Inventor	Paul Patterson
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT	(\$ 682.00)	Attorney Docket Number	4008-00201

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 50-1515 Deposit Account Name: Conley, Rose & Tayon, P.C. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>\$ 65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexam</td><td>\$</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within 1st month</td><td>\$</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within 2nd month</td><td>\$ 195.00</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension to reply within 3rd month</td><td>\$</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension to reply within 4th month</td><td>\$</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension to reply within 5th month</td><td>\$</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>\$</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td>\$</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td>\$</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td>\$</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td>\$</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>\$</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional apps.</td><td>\$</td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Dis. Stmt.</td><td>\$</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$</td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td>\$</td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">*Reduced by Basic Filing Fee Paid</td><td>\$ 260.00</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$ 65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$	139	130	139	130	Non-English specification	\$	147	2,520	147	2,520	For filing a request for reexam	\$	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$	115	110	215	55	Extension for reply within 1st month	\$	116	390	216	195	Extension for reply within 2nd month	\$ 195.00	117	890	217	445	Extension to reply within 3rd month	\$	118	1,390	218	695	Extension to reply within 4th month	\$	128	1,890	228	945	Extension to reply within 5th month	\$	119	310	219	155	Notice of Appeal	\$	120	310	220	155	Filing a brief in support of an appeal	\$	121	270	221	135	Request for oral hearing	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$	140	110	240	55	Petition to revive - unavoidable	\$	141	1,240	241	620	Petition to revive - unintentional	\$	142	1,210	242	605	Utility issue fee (or reissue)	\$	143	440	243	220	Design issue fee	\$	144	600	244	300	Plant issue fee	\$	122	130	122	130	Petitions to the Commissioner	\$	123	50	123	50	Petitions related to provisional apps.	\$	126	240	126	240	Submission of Information Dis. Stmt.	\$	581	40	581	40	Recording each patent assignment per property (times number of properties)	\$	146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$	149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$	Other fee (specify) _____					\$	Other fee (specify) _____					\$	*Reduced by Basic Filing Fee Paid					\$ 260.00
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
105	130	205	65	Surcharge - late filing fee or oath	\$ 65.00																																																																																																																																																																																		
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																																																																																																		
139	130	139	130	Non-English specification	\$																																																																																																																																																																																		
147	2,520	147	2,520	For filing a request for reexam	\$																																																																																																																																																																																		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$																																																																																																																																																																																		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$																																																																																																																																																																																		
115	110	215	55	Extension for reply within 1st month	\$																																																																																																																																																																																		
116	390	216	195	Extension for reply within 2nd month	\$ 195.00																																																																																																																																																																																		
117	890	217	445	Extension to reply within 3rd month	\$																																																																																																																																																																																		
118	1,390	218	695	Extension to reply within 4th month	\$																																																																																																																																																																																		
128	1,890	228	945	Extension to reply within 5th month	\$																																																																																																																																																																																		
119	310	219	155	Notice of Appeal	\$																																																																																																																																																																																		
120	310	220	155	Filing a brief in support of an appeal	\$																																																																																																																																																																																		
121	270	221	135	Request for oral hearing	\$																																																																																																																																																																																		
138	1,510	138	1,510	Petition to institute a public use proceeding	\$																																																																																																																																																																																		
140	110	240	55	Petition to revive - unavoidable	\$																																																																																																																																																																																		
141	1,240	241	620	Petition to revive - unintentional	\$																																																																																																																																																																																		
142	1,210	242	605	Utility issue fee (or reissue)	\$																																																																																																																																																																																		
143	440	243	220	Design issue fee	\$																																																																																																																																																																																		
144	600	244	300	Plant issue fee	\$																																																																																																																																																																																		
122	130	122	130	Petitions to the Commissioner	\$																																																																																																																																																																																		
123	50	123	50	Petitions related to provisional apps.	\$																																																																																																																																																																																		
126	240	126	240	Submission of Information Dis. Stmt.	\$																																																																																																																																																																																		
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$																																																																																																																																																																																		
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$																																																																																																																																																																																		
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$																																																																																																																																																																																		
Other fee (specify) _____					\$																																																																																																																																																																																		
Other fee (specify) _____					\$																																																																																																																																																																																		
*Reduced by Basic Filing Fee Paid					\$ 260.00																																																																																																																																																																																		
FEE CALCULATION 1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td>\$ 355.00</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td>\$</td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td>\$</td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td>\$</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td>\$</td></tr> <tr><td colspan="5">SUBTOTAL (1)</td><td>\$ 355.00</td></tr> </tbody> </table> 2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>23 - 20 = 3*</td><td>x</td><td>9.00 =</td><td>\$ 27.00</td></tr> <tr><td>Independent Claims 14 - 3 = 11*</td><td>x</td><td>40.00 =</td><td>\$ 40.00</td></tr> <tr><td>Multiple Dependent</td><td></td><td>270.00 =</td><td>\$</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td>\$</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td><td>\$</td></tr> <tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependent claim</td><td>\$</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>Reissue independent claims over original patent</td><td>\$</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td><td>\$</td></tr> <tr><td colspan="5">SUB TOTAL (2)</td><td>\$ 67.00</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee	\$ 355.00	106	320	206	160	Design filing fee	\$	107	490	207	245	Plant filing fee	\$	108	710	208	355	Reissue filing fee	\$	114	150	214	75	Provisional filing fee	\$	SUBTOTAL (1)					\$ 355.00	Total Claims	Extra	Fee from below	Fee Paid	23 - 20 = 3*	x	9.00 =	\$ 27.00	Independent Claims 14 - 3 = 11*	x	40.00 =	\$ 40.00	Multiple Dependent		270.00 =	\$	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20	\$	102	80	202	40	Independent claims in excess of 3	\$	104	260	204	130	Multiple dependent claim	\$	109	80	209	40	Reissue independent claims over original patent	\$	110	18	210	9	Reissue claims in excess of 20 and over original patent	\$	SUB TOTAL (2)					\$ 67.00																																																																																		
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
101	710	201	355	Utility filing fee	\$ 355.00																																																																																																																																																																																		
106	320	206	160	Design filing fee	\$																																																																																																																																																																																		
107	490	207	245	Plant filing fee	\$																																																																																																																																																																																		
108	710	208	355	Reissue filing fee	\$																																																																																																																																																																																		
114	150	214	75	Provisional filing fee	\$																																																																																																																																																																																		
SUBTOTAL (1)					\$ 355.00																																																																																																																																																																																		
Total Claims	Extra	Fee from below	Fee Paid																																																																																																																																																																																				
23 - 20 = 3*	x	9.00 =	\$ 27.00																																																																																																																																																																																				
Independent Claims 14 - 3 = 11*	x	40.00 =	\$ 40.00																																																																																																																																																																																				
Multiple Dependent		270.00 =	\$																																																																																																																																																																																				
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
103	18	203	9	Claims in excess of 20	\$																																																																																																																																																																																		
102	80	202	40	Independent claims in excess of 3	\$																																																																																																																																																																																		
104	260	204	130	Multiple dependent claim	\$																																																																																																																																																																																		
109	80	209	40	Reissue independent claims over original patent	\$																																																																																																																																																																																		
110	18	210	9	Reissue claims in excess of 20 and over original patent	\$																																																																																																																																																																																		
SUB TOTAL (2)					\$ 67.00																																																																																																																																																																																		

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Gene C. Yallow			Registration Number	40,856
Signature				Date	1-10-02
				Deposit Account User ID	50-1515



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/925,934	08/09/2001	Paul Patterson	4008-00200

CONFIRMATION NO. 5816

FORMALITIES LETTER



OC000000006557025

CONLEY, ROSE & TAYON
Dallas Office
Granite Park One
5800 Granite Parkway, Suite 400
Plano, TX 75024-6616

Date Mailed: 09/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

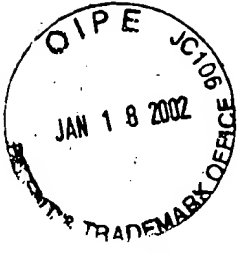
- o The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$134.
 - \$54 for 3 total claims over 20.
 - \$80 for 1 independent claims over 3 .
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 974.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



473

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul Patterson
Serial No.: 09/925,934
Filed: August 9, 2001
Confirmation No: 5816
For: Multi-planar Rowing Machine And
Associated Exercise Protocols

§
§ GROUP ART UNIT: Not Yet Assigned
§
§ EXAMINER: Not Yet Assigned
§
§
§
§
§
§
§
§

Box Missing Parts
FEE
Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited
with the United States Postal Service with sufficient
postage as first class mail, in an envelope addressed to:
Box Missing Parts. FEE, Commissioner for Patents,
Washington, D.C. 20231 on

January 10, 2002
(Date of Deposit)
Kelli Gray

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Atty. Dkt. No.: 4008-00201

Sir:

Please find enclosed a copy of the Notice to File Missing Parts mailed
September 14, 2001 along with the required Filing Fee and Declaration and Power of Attorney

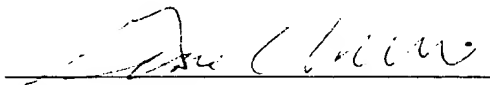
for the above-referenced matter. Additionally, please find enclosed a Petition and Fee for Extension of Time (37 CFR 1.136(a)).

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 50-1515, Conley, Rose & Tayon.

Respectfully submitted,

CONLEY, ROSE & TAYON, P.C.

Date: 1-16-02


Gene C. Vallow
Reg. No. 40,856

5700 Granite Parkway, Suite 330
Plano, Texas 75204
(972) 731-2288

ATTORNEY FOR APPLICANT